

WASHINGTON HALL	}	MARCH TERM, 1851.
vs.		
GREENBURY PURNELL.		
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GREENBURY PURNELL		
vs.		
WASHINGTON HALL ET AL.		

[ALLOWANCE OF CREDITS.]

THE defendant exhibited and delivered to the complainant, who was the assignee of certain property, subject to an agreement of sale between the assignor and the defendant, a statement of the payments he had made the assignor on account thereof. Afterwards discovering receipts for further payments, not mentioned in the statement, he claimed a credit therefor. **HELD—** That the assignment to the complainant being made *prior* to the receipt by him, of the statement, from the defendant, and he not being induced to make the purchase by such statement, or lulled into false security by it, there could be no sufficient ground for denying the defendant the benefit of the receipts. If an innocent party is induced, by the obligor, to become the purchaser of a bond, against which there are equities, it is a deceit upon him, and he ought not to be subject to the same equity to which the obligor was entitled, against the obligee.

[The chief object of the bills in these cases was to obtain a specific execution of an agreement, entered into on the 13th of December, 1837, between William Crawford, Jr. and the defendant, Purnell, the terms of which are fully set forth in the Chancellor's opinion. On the 6th of April, 1841, Crawford conveyed the property, mentioned in the agreement, subject thereto, to the complainant, Hall, who afterwards, on the 3d of September, 1846, filed his bill to enforce the execution of this agreement on the part of Purnell, alleging that a balance of \$3,500 of the purchase money was still due for the property from the defendant. The defendant, Purnell, filed his answer to this bill, on the 14th of March, 1848, denying that the balance claimed in the bill was due, and claiming sundry payments and credits, which would nearly or quite absorb the whole amount of the purchase money; and afterwards, on the 14th of September, 1848, filed his bill, setting forth, amongst other